

**Sacramento River Conservation Area  
Board of Directors  
Minutes**

May 24, 2001  
4:00 p.m.

Willows City Hall  
Willows, Ca.

- 1) Chairman Denny Bungarz called the meeting of the Sacramento River Conservation Area to order at 4:05 at the above location. It was determined there was a quorum of (10) voting members present.

| County  | Public Interest | Landowner       | Agency           |
|---|-----------------|-----------------|------------------|
| Butte   | Jane Dolan      | Shirley Lewis   |                  |
| Colusa  | Doug White      | Ben Carter      |                  |
| Glenn   | Denny Bungarz   | Don Anderson    |                  |
| Shasta  | Glenn Hawes     | (Dan Gover)     |                  |
| Sutter  | (Dan Silva)     | (Russell Young) |                  |
| Tehama  | Bill Borrer     | (Brendon Flynn) |                  |
| Yolo  | Lynnel Pollock  | (Marc Faye)     |                  |
| Resources Agency  |                 |                 | Mel Dodgin       |
| Cal DFG   |                 |                 | Diana Jacobs     |
| State Reclamation Board                                     |                 |                 | Pete Rabbon      |
| USF&WS  |                 |                 | Dan Castleberry  |
| US COE  |                 |                 | (Mark Charlton)  |
| Cal DWR   |                 |                 | (Dwight Russell) |
| Bureau of Reclamation                                       |                 |                 | Laura Allen      |
| Names listed in parentheses represent absences              |                 |                 |                  |
| Also present an estimated audience of 25 interested persons |                 |                 |                  |
| Manager Burt Bundy  |                 |                 |                  |
| Assistant Pat Brown, Recording Secretary                    |                 |                 |                  |
| Cal DWR   |                 |                 | Stacy Cepello    |
| Resources Agency  |                 |                 | Tim Ramirez      |

- 2) **PUBLIC PARTICIPATION, UNSCHEDULED MATTERS** – No items
- 3) **CONSENT CALENDAR** – No items
- 4) **CONSIDER ADOPTION OF MINUTES** – Lynnel Pollock moved, seconded by Doug White, to approve the April 26<sup>th</sup>, 2001 minutes. Motion passed by unanimous vote of the Board.
- 5) **EXECUTIVE COMMITTEE REPORT** -  
“Issues recommendations” - Chairman Bungarz reviewed committee recommendations: Item #3 (Good neighbor policy) #4 (Safe Harbor) #5 (Mitigation fund) and #6 (Grievance procedure) were determined to be related and will be reviewed by a “Good Neighbor &

Mitigation Fund Committee chaired by Ben Carter. Ben asked for volunteers to work on the committee and Shirley Lewis, Don Anderson, Dan Castleberry and Doug White agreed to help. Jane discussed #7 (PILT) and #12 (Economic Analysis) which will also be looked at together - the committee decided to move those two issues out of the TAC and under the Board. A work group will be formed to gather more information on these issues. Issue #13 (Public Access) TNC is in the process of re-allocating unspent WCB/DFG funds to develop a public use and recreation strategy. They would coordinate with the SRCA; FWS and F&G currently have management plans going on – this coordination would bring bigger plan into play. Burt talked about Phase 2, the implementation that would include helping counties keep boat ramps open or help facilitate with some permitting. On Issue #14 (Streamline permitting process) the Committee suggested following the two current projects, M&T and Woodson Bridge, to observe permitting process to see how it proceeds and what can be done to streamline it. Bill Borror noted permitting for a county project has not gotten any easier and talked about a project in Tehama County that has been stopped because of possible environmental issues after all the permitting had been done and there may be another year delay. On the issues raised by Tom Ellis, Burt stated that the responses are being drafted and will bring to next Board meeting. Jane agreed to meet with John Merz to discuss recommendations of how the Board receives and reviews projects. Tom Evans, FWA, asked if copies are available of the “Issues to be resolved”. Burt advised him there would be some changes made to them, they will be noted and copies made available. The Executive Committee will meet two weeks prior to their next meeting date via e-mail so it can participate in Board agenda preparation.

The Sacramento River National Wildlife Refuge has four public meetings scheduled to familiarize people with the process and allow for input. Chairman Bungarz suggested that SRCA’s role should be to attend the meetings and be a part of the process.

Tim Ramirez, Resources Agency, noted that the Secretary of Resources, Mary Nichols, is providing a copy of “Battling the Inland Seas” to each of the Board Members which gives the history of the flood control system. The SRCA staff will draft a thank you letter to Secretary Nichols for this gesture.

- 6) **MANAGERS REPORT** – Burt discussed his recent trip to Washington D.C. with Pete Rabbon and Tim Ramirez. He noted they talked about 50 different flood control projects within the Central Valley. **Hamilton City** – Funding for pre-construction, engineering, and design was requested for the 2002 COE budget. **Woodson Bridge** – In the process of drafting a letter to COE, Congressman Ose, Senator Boxer, and Senator Feinstein to include it in the COE budget. There was agreement of the Board to continue with support of this project. The workshop held on May 14 in Cottonwood on the IRZG in Reach 1 was sparsely attended; Burt thanked the 5 Board members who were present for their support. There were no suggestions on the IRZ language but it is still open to changes. A meeting of “affected parties” was held on 5/14 at M&T to look at the draft Technical Memorandum from Stillwater Sciences. Burt, Stacy, and Les are drafting a letter outlining the questions that were raised at this meeting. They still are not sure who will be the lead, probably DWR. Jane asked about process of becoming lead agency – Burt stated the lead agency will be CEQA lead, SRCA cannot be, can be proponent, but not the lead. The permitting process has to go through both federal and state lead. Everyone is in strong support of this project, but it’s the process that is frustrating.

There have been suggestions for changes to the draft language on the agricultural conservation area and will be discussed further at the TAC. Burt discussed the possible outline and time frame of providing amendments to the Handbook. He suggested July 16<sup>th</sup> for the IRZ workshop

in Reach 3. On July 19<sup>th</sup>, the TAC would provide recommendations to the Board on Reach 1, 3, & 4 IRZ guidelines, Issues to be resolved (hard-point and riprap language), and the new Agricultural Conservation Area language. On July 26<sup>th</sup> the Board would adopt, set an Amendment Review meeting date, notify the Advisory Council and MOA signatories about intention to amend the Handbook. Mid-September the Advisory Council would meet to receive annual report and discuss amendments. (Advisory Council needs to meet annually). Discussion followed and a September 17<sup>th</sup> meeting date was set in Sacramento, probably in the afternoon. Burt stated a letter will be going out asking for current appointees to the Council and it will include the date of the meeting. Burt suggested that because of summer vacation schedules, the Board might consider omitting the August Board meeting.

Tom Evans, FWA, suggested the Reach 3 IRZ workshop, which includes Colusa, Glenn, and Butte counties, should be held in a central location, possibly Princeton. Ben Carter and Doug White agreed to help in finding a centrally located meeting place.

Mike Thabault, USF&WS, was introduced to talk about the process involved in arriving at a Biological Opinion which states the opinion of the Service as to whether or not an action is likely to jeopardize the continued existence of listed species, or result in adverse impacts to critical habitat. Mike noted he did not want to talk about the specifics of the current Biological Opinion concerning the impact of riprap on sites considered by the Corps for bank protection because they are still in negotiations. A handout was made available which expanded on Section 7 of the Endangered Species Act. Following the presentation, discussion followed and a question was raised as to what happens if professional opinions disagree with the Opinion, is there an appeals process? Mike stated it is very limited; there is no third party appeals process. A question was also raised about prudent alternatives which are alternative methods of project implementation offered in a biological opinion reaching a jeopardy or adverse modification conclusion that would avoid the likelihood of jeopardy to the species, or adverse modification of critical habitat. Jeopardy opinion comes with reasonable and prudent alternatives, must remove jeopardizing effects to receive legal coverage. In the current situation, COE can come back with their own alternative to one offered by the Service. Bill Borrer suggested this goes to the guts of the Board and the Handbook; vision was to come around the table and talk about issues. He questioned if this was a violation of the MOA because F&WS did not come to the Board and talk about this. It was noted that the FWS and COE are still doing things project by project rather than a comprehensive look and until they do, it is going to be painful. Ernie Ohlin, Tehama County Public Works, noted they have 67,000 lf of riprap in Tehama County and questioned whether this will have an effect on their ability to maintain that? Pete Rabbon, The Reclamation Board, stated that the Biological Opinion for 42E and 42F is looking at new work; maintenance for existing sites is not impacted by that Opinion. There are emergency provisions under Section 7, "life and limb", that would allow for work to be done. The work would be evaluated after the emergency situation has passed and changes may need to be made. Emergency flood fight at a site has different rules and is more expensive when done under emergency conditions – that's why comprehensive approach is important. There was concern expressed about the second document by Rich DeHaven on Impacts of Riprapping to Ecosystem Functioning, and what the FWS intended to do with that document?

- 7) **REPORT OF THE PUBLIC OUTREACH COMMITTEE** – Laura Allen discussed the 5/17 meeting where the committee discussed the goal statement and continued working on a list of tools for the goal of education and outreach. One objective will be looking at ways to improve

and expand the SRCA newsletter. Marie Sullivan is pursuing some funding possibilities from FWS for outreach.

- 8) **TAC REPORT** – Dan Keppen, Chairman of the TAC, reviewed the May 17<sup>th</sup> meeting where Koll Buer, DWR, gave a presentation on sediment and debris transport. The IRZ definition in Reach 3 was discussed in its preliminary stage; there were no suggested changes to the language for Reach 1 at the Cottonwood meeting; Reach 4 language has gone through several modifications and seems to have been accepted. He noted they are still open for input on the guidelines. There will be a presentation on Safe Harbor/Good Neighbor Policy by F&WS and DFG at the next TAC meeting. Ernie Ralston, Matrix Environmental Planning, gave an update on a pipeline that is crossing the river at Moulton Weir, Marlyce Myers, TNC, gave an update on the socio-economic study that is being conducted for the riparian corridor within the SRCA and Mike Roberts, TNC, gave an update on the Beehive Bend sub-reach.
- 9) **ACTIVITIES & UPDATES** – Barney Flynn, SRP, updated the Board on the Jacinto Project, a restoration project in Glenn County. The SRP is working with the DF&G and WCB to plant approximately 9,000 riparian plants at this site. A 20-foot no-plant buffer is established along the northwest side of the project next to the district levee. They have tried to employ as many local people as possible to complete the project that will cover 3 years and will ultimately be self-supporting.

Tim Ramirez announced CALFED will hold a policy meeting in Sacramento on June 14, 2001. He is going to try to bring Patrick Wright to the next Board meeting if schedules will allow to share his perspectives.

John Merz, SRPT, noted the Spring Speaker Series, in conjunction with State Parks, is scheduled for three consecutive Saturdays beginning May 26<sup>th</sup> in Chico at the Indian Fisheries Day Use Area. The meeting on the 26<sup>th</sup> will start at 8:30 a.m. and will include a presentation by DWR on the dynamics and purpose of a meandering river system followed by a site visit to the gravel bar complex for a discussion on the M&T/Llano Seco pumping facility. On June 2<sup>nd</sup> Woody Elliott, California State Parks will give a talk starting at 8:00 a.m.; on June 9<sup>th</sup> the President of the Altacal Audubon Society will speak followed by a field trip, also starting at 8:00 a.m.

The next meeting will have election of officers – it was noted that the Chair and Vice Chair must rotate so that the next Chairman will be a landowner representative and the next Vice Chair will be a public interest representative.

The next Board meeting will be June 28<sup>th</sup> at the Willows City Hall, Willows.